

ORDINANCE NO. ORD 06-07-25D

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF ONE CERTAIN TRACT OF 8.36 ACRES, HEREINAFTER MORE SPECIFICALLY DESCRIBED, TO THE CITY OF HORSESHOE BAY, TEXAS FOR ALL MUNICIPAL PURPOSES; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE INHABITANTS THEREOF, IF ANY, SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR ZONING OF SUCH PROPERTY IN ACCORDANCE WITH THE CITY'S ZONING ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Horseshoe Bay, Texas is a Type A general-law municipality as defined by the Texas Local Government Code; and

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., authorizes municipalities to annex adjacent territory in accordance with the procedures provided for therein; and

WHEREAS, the City received a petition for annexation from the owners of one certain tract of 8.36 acres as described hereafter; and

WHEREAS, notice of the appropriate public hearings was published in a newspaper having general circulation in the City of Horseshoe Bay, Texas and the public hearings were conducted and held in accordance with applicable law; and

WHEREAS, the City of Horseshoe Bay, Texas prepared a service plan for the extension of municipal services into the area to be annexed, said service plan being attached hereto as Exhibit "A" and incorporated herein for all purposes;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

Section 1. That the hereinafter described tract of land is within the extraterritorial jurisdiction of, and is adjacent to and contiguous to the present corporate limits of the City of Horseshoe Bay, Texas, be, the same is hereby annexed to the City of Horseshoe Bay, Texas for all municipal purposes and the corporate lines and limits of the City of Horseshoe Bay, Texas are hereby extended to embrace the said tract of land, which is more particularly described and attached hereto as follows:

An 8.36 acre tract out of the A. Murchison Survey No. 85, Abstract No. 556, Llano

County, Texas, being a portion of that certain 13.69 acre tract conveyed to JDS Mitchell Tract L. P. in Vol. 1199, P. 504, Deed Records of Llano Co., Texas and being all of Lot 19 and a portion of Common Area 2, all of which appear on the plat of SIENA CREEK, PHASE TWO, recorded in Vol. 15, P. 73, Llano Co. Plat Records, Llano Co., Texas

Section 2. That the inhabitants, if any, of the property hereby annexed to the City of Horseshoe Bay, Texas shall be entitled to all the rights and privileges of said citizens of the City of Horseshoe Bay, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Horseshoe Bay, Texas.

Section 3. That Service Plan which is attached hereto as Exhibit “A” is hereby approved and incorporated herein as part of this Ordinance for all purposes.

Section 4. That pursuant to the provisions of the City’s Zoning Ordinance, the tract hereby annexed shall be zoned R-4 (Multiple Family Residential).

Section 5. That the official map and boundaries of the City of Horseshoe Bay, Texas, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Horseshoe Bay, Texas.

Section 6. That the Mayor is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City of Horseshoe Bay, Texas to add the territory hereby annexed as required by law.

Section 7. That this Ordinance shall become effective after its passage.

Section 8. That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk, and to perform all other acts necessary to notify the appropriate entities of the City’s annexation of territory by this Ordinance.

Section 9. If any section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City of Horseshoe Bay, Texas, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and as to this end the provisions of this Ordinance are declared to be severable.

Section 10. That the meeting at which this Ordinance was enacted was open to the public as required by the Texas Open Meetings Act, and that notice of the time, place, and subject matter of the meeting was given as required by the Texas Open Meetings Act.

PASSED, APPROVED and ADOPTED by the City Council of the City of Horseshoe Bay, Texas on this 25th day of July, 2006.

Robert W. Lambert, Mayor
City of Horseshoe Bay, Texas

ATTEST:

Toni Vanderburg, City Secretary
City of Horseshoe Bay, Texas